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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,313	06/24/2003	Yoshinao Kobayashi	FP03-100US	9027
1218	7590	10/07/2004	EXAMINER	
CASELLA & HESPOS 274 MADISON AVENUE NEW YORK, NY 10016			REDMAN, JERRY E	
			ART UNIT	PAPER NUMBER

3634

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/602,313

Applicant(s)

KOBAYASHI ET AL.

Examiner

Jerry Redman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2003.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-16 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/24/03 & 12/3/03.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

The applicant's information disclosure statements dated 6/24/2003 and 12/3/2003 have been considered.

Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1, line 1, it is not readily apparent to the Examiner if the applicant is claiming a power supply apparatus or a power supply apparatus in combination with a vehicle slide door. Throughout claims 1-10, the applicant clearly and positively recites the vehicle slide door. If the applicant intends to claim the combination then the applicant must clearly and positively recite the vehicle slide door in the preamble. In claim 1, line 9, it appears that —is—should be inserted after the second occurrence of "section". In claim 1, line 11, it appears that —is—should be inserted after "section". In claim 1, line 3, is "a slide door" the door as "a vehicle slide door" as recited in claim 1, line 1? In claim 11, lines 1-2, is the applicant claiming a cable guide or a cable guide in combination with a fixing structure and moving structure. In claim 12, line 16, the applicant clearly and positively recites the moving structure. If the applicant intends to claim the combination then the applicant must clearly and positively recite the moving structure in the preamble. In claim 12, line 19, there is a lack of antecedent basis for "the top".

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 and 8-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over German patent to Apprich in view of Komiya et al. German patent to Apprich discloses a vehicle (4) a sliding door (3), a flexible linkage (11) having one end connected to the sliding door (3) and an opposite end connected to the vehicle (4) wherein along a straight portion (the portion attached closes to the vehicle) the flexible linkage is only capable of rotating/bending in one direction. German patent to Apprich fails to disclose a flexible linkage capable of rotating/bending in two directions. U.S. patent to Komiya et al. disclose a tubular linkage assembly for a cable which allows bending in two directions wherein the links having projections and receptacles which mate to form a continuous link. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a flexible linkage which is capable of bending in two directions as taught by Komiya et al. since a more flexible linkage allows one to provide wiring between the sliding door and vehicle along the most efficient path.


Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over German patent to Apprich and Komiya et al. as applied to claim 2 above, and further in view of Kobayashi. All of the elements of the instant invention are discussed in detail above except providing a cover. Kobayashi discloses a cover for flexible structures. It would have been obvious to one of ordinary skill in the art at the time of the invention to

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provide the modified invention of Apprich with a cover as taught by Kobayashi since a cover provides protection against flexible structures thereby ensuring the integrity of the flexible structure.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. patent to Kornbrekke et al. disclose a flexible linkage similar to that of the applicant's invention. U.S. patent to Kunert et al. disclose a flexible linkage bendable in two directions similar to that of the applicant's invention. U.S. patent to Suzuki discloses a flexible linkage bendable in two directions similar to that of the applicant's invention. U.S. patent to Knettle et al. disclose a vehicle door drive and flexible linkage similar to that of the applicant's invention.

Any inquiry concerning this communication should be directed to Jerry Redman at telephone number 703-308-2120.



Jerry Redman
Primary Examiner